

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Box) "The Key to Good Health" * * * An old remedy * * * A valuable aid in conditions of mal-nutrition and in weakened conditions due to Colds, La Grippe and other respiratory infections. Valuable in building up resistance in children and adults"; (circular) "An Old Remedy * * * Your Health is largely a matter of resistance in overcoming disease germs and the resulting weakened condition of the system. Years of experience have proved that Cod-Liver Oil is one of the most effective ways in which to build this resistance. Doctors prescribe it freely in all run-down conditions of children as well as grown-ups. If you are suffering from loss of appetite, loss of pep, or, if you are in a weakened condition as a result of a lingering Cough, a cold, deep-seated Bronchial Trouble, La Grippe, Influenza, Pneumonia and similar ailments, then Cod-Liver Oil is the logical treatment. Physicians have found that Cod-Liver Oil is very effective in treating * * * under-nourishment in Children. Even in conditions of normal health, it strengthens the teeth and bone structure. It tones up the whole system, relieves impoverished blood conditions, * * * and increases weight and energy. * * * if taken according to directions should show beneficial results within a few days but best results will be felt in approximately 30 days. It is advisable, however, in faulty conditions of long standing to continue the treatment over a longer period of time * * * follow the treatment persistently. * * * Is the regular doses that count. You will be more than satisfied with the results." (Similar statements in foreign languages.)

On September 29, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21519. Misbranding of Garvin's Remedies For Chickens and Human Use. U. S. v. 24 Small Bottles and 12 Pint Bottles of Garvin's Remedies for Chickens and Human Use. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31021. Sample no. 45962-A.)

Examination of the drug preparation involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 28, 1933, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 small bottles and 12 pint bottles of Garvin's Remedies for Chickens and Human Use at Kenosha, Wis., alleging that the article had been shipped in interstate commerce, on or about January 11, 1933, by the Pest-U-Di Chemical Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of boric acid (4.6 grams per 100 milliliters), potassium permanganate (3.6 grams per 100 milliliters), and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: "For eczema * * * in the relief of Leucorrhoea (Whites) female weakness or discharge * * * dogs, cats, birds, and other pet animals give daily in drinking water as a mild disinfectant * * * indicated in the treatment of the skin and mucous membrane * * * in more severe cases * * * as a preventive give one to three teaspoons full to one gallon of drinking water twice a week * * * bowel complaint * * * in regulating the bowels * * * sore head chicken pox * * * apply full strength night and morning with feather on sores also continue giving in drinking water one to two teaspoons full to one quart water. In diphtheria or canker apply full strength with feather after removing canker with tweezers and continue giving in water one or two teaspoons full or more depending on symptoms to quart water."

On September 29, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*